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Construction of a walkway

Site 26, Falls Creek Road, Falls Creek 3699

MARCH 2024

Submitted to **Department of Transport and Planning**
On behalf of **Myrtleford Ski Club**

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1. Introduction

This report has been prepared by Habitat Planning on behalf of Myrtleford Ski Club in support of a planning permit application to construct a walkway at Site 26, Falls Creek Road, Falls Creek, Victoria 3699.

The subject land is located in the Comprehensive Development Zone - Schedule 1 (CDZ1) of the Alpine Resorts Planning Scheme (“the Planning Scheme”) and affected by the Bushfire Management Overlay - Schedule 1 (“BMO1”), Design and Development Overlay - Schedule 2 (“DDO2”), and the Erosion Management Overlay - Schedule 1 (“EMO1”).

A permit is required:

- to construct and carry out works in the CDZ1 pursuant to clause 37.02-4;
- to construct and carry out works in the BMO1 pursuant to clause 42.06-2;
- to construct and carry out works in the DDO2 pursuant to clause 43.02-2;
- to construct and carry out works in the EMO1 pursuant to clause 44.01-2.

This report and accompanying information are provided in accordance with the requirements of the *Planning and Environment Act 1987* (“the Act”) and the Alpine Resorts Planning Scheme. It provides a detailed description of the site and its context, an assessment against the relevant planning policies and matters for consideration within the planning scheme and other relevant documentation. This report is also accompanied by specialist technical reports as required.

The purpose of this report is to detail the proposed development, consider the proposal against the relevant matters for consideration and demonstrate the proposal is worthy of approval by the Department of Transport and Planning.

1.1. Background

Myrtleford Ski Club seek to construct a metal walkway and stairs to replace the existing gravel pathway and to link the ski club to Falls Creek Road. These works were required to be undertaken as per the conditions of the lease in order to maintain safe access during snow season.

The application is accompanied by a letter from Alpine Resorts Victoria on behalf of Falls Creek Resort Management which outlines that the Department has no objection to the development. It is noted that the letter references revision D of the plan set, however revision E is provided as part of this application. For transparency, we have attached both the letter requesting consent including the plan showing the proposal to demonstrate that it is in accordance with revision E, with the only change between the two revisions being that revision E is informed by the survey plan so made minor adjustments in response to this information.

1.2. Supporting Plans and Documentation

This application is accompanied by:

- Title information
- Proposed Plans, prepared by Sunjoule Design
- Land Stability Assessment, prepared by Civil Test Pty Ltd
- Environmental Assessment, prepared by Hamilton Environmental Services
- Consent Letter, Falls Creek Management Board
- In Principle Support letter, Alpine Resorts Victoria

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2. Site Analysis

2.1. Site Location and Context

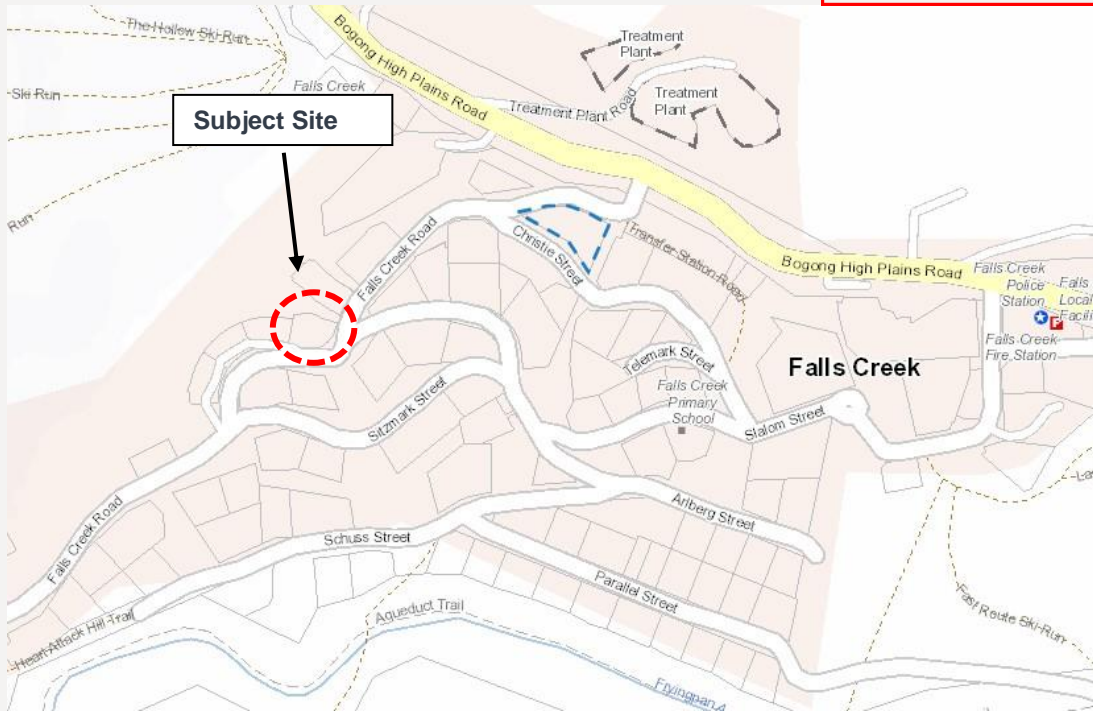


Figure 1 | Site Context Map

Table 1 | Site Summary Table

Legal Description	Crown allotment 2054 & 2055 in PP2486
Address	Site 26, Falls Creek Road, Falls Creek
Covenants or Restrictions	Site is located on Crown Land and a lease is managed by the Falls Creek Resort Management Board. There are no covenants or Section 173 agreements registered on the title.
Site Location	The subject site is located adjacent to 'The Hub' in the Victorian Alpine Resort Village of Falls Creek at the junction of Falls Creek Road and Slalom Street, 30 kilometres south of the township of Mount Beauty.
Site Description	The site forms an irregular shaped allotment with a total area of 709m ²

<p>Existing Development</p>	<p>Situated on the land is the Myrtleford Ski Club (“the Ski Club”) building, comprising a lodge and clubhouse that offers communal ski-in, ski-out accommodation for members and their guests wishing to access the town’s ski fields. Native vegetation surrounds the lodge, and the site is subject to a discernible slope downwards from Falls Creek Road. The site has a frontage to Falls Creek Road of approximately 43.58 metres that follows the curvature of the road.</p>
<p>Existing Access</p>	<p>Pedestrian access to the subject land has been established from Falls Creek Road. Primary vehicle parking is available on Bogong High Plains Road.</p>
<p>Immediate Interfaces</p>	<p><u>North</u>: To the north, is The Hub, a multi-purpose retail, accommodation, and ski-hire centre.</p> <p><u>South</u>: To the south, is the Falls Creek Road reserve, with lodge accommodation in-place on the southern side of the road.</p> <p><u>East</u>: To the east, is the intersection of Falls Creek Road and Slalom Street, with The Chophouse Restaurant and ski hire located on this junction.</p> <p><u>West</u>: To the west, is similar tourist accommodation to the Myrtleford Ski Club.</p>
<p>Surrounding Context</p>	<p>The Myrtleford Ski Club and scattered native vegetation forms a boundary between the Road and the lodge.</p> <p>The topography of the site has a discernible slope across the site, with the downhill slope beginning from Falls Creek Road, running west to east down the valley.</p> <p>There is an existing gravel path between the site and Falls Creek Road which has since become unsafe during periods of heavy snow fall.</p>

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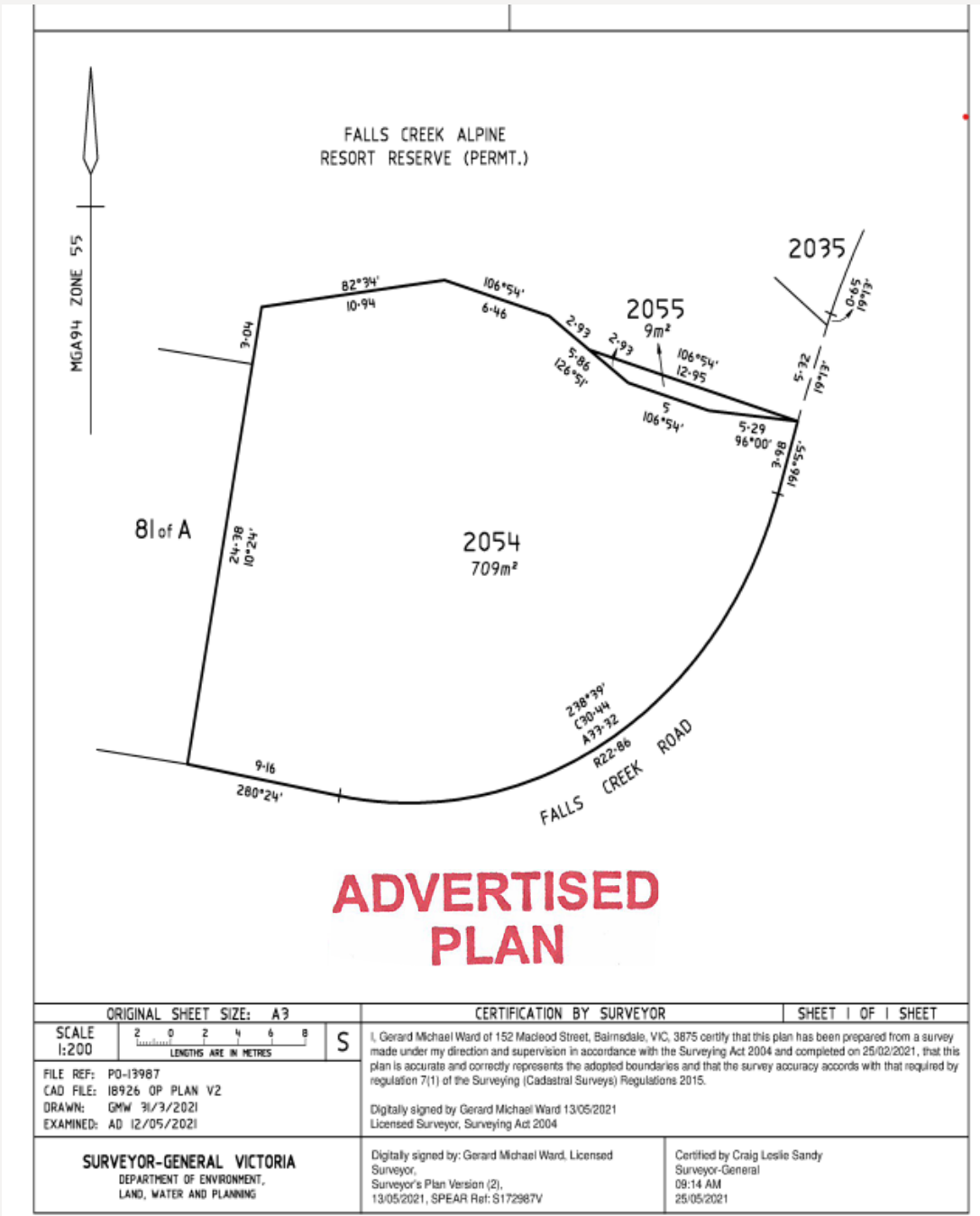


Figure 2 | Crown Diagram (Source: Land Victoria 2021)

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Figure 3 | Aerial View of the Subject Site (outlined red) (Google Maps 2024)

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Figure 4 | Existing Conditions of the Current Walkway

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3. Description of Proposal

3.1. Overview

This application seeks approval for the construction of a walkway to replace the existing gravel path between The Ski Club and Falls Creek Road. It is noted that part of the proposed construction traverses over unleased crown land, and a letter of approval from Falls Creek Management Board is attached to this application. The proposed walkway will create a safe all-weather path between the ski club and the road.

The length of proposed walkway is approximately 9.26 metres, the width 1.5 metres. A copy of the proposed plans is included at **Appendix B** and the relevant extracts are reproduced below.

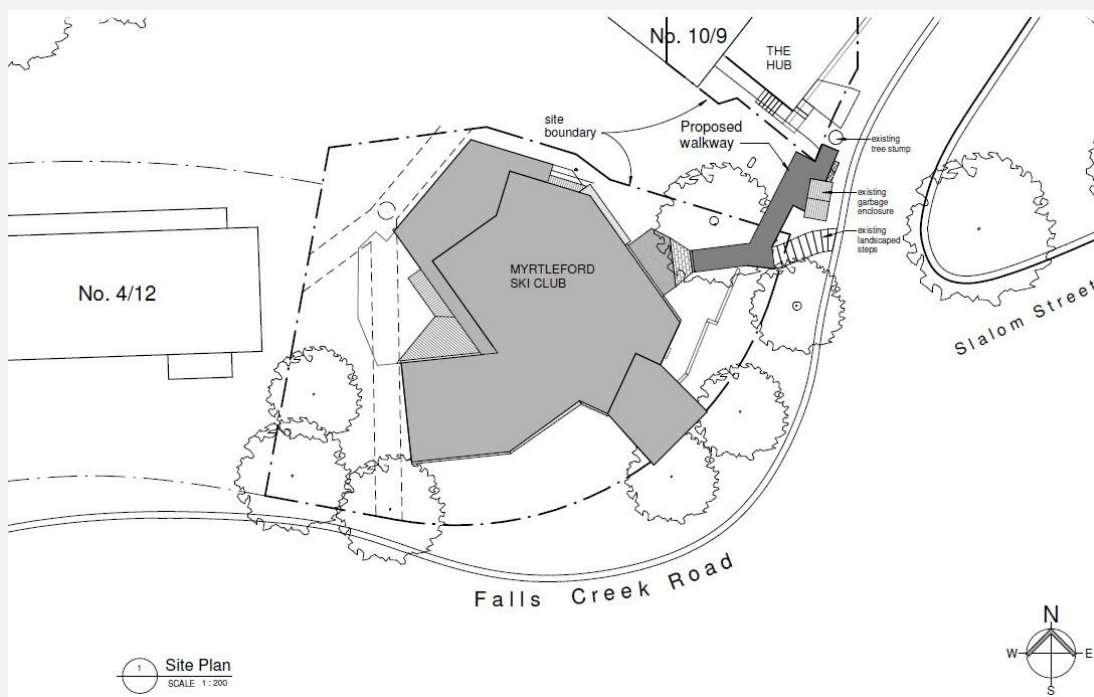


Figure 5 | Proposed Site Plan (Source: Sunjoule Design 2024)

3.2. Walkway Construction

The proposed walkway will connect Myrtleford Ski Club with the existing steps to Falls Creek Road as shown in the below figure. The walkway will be constructed out of galvanised steel and have an FRP moulded grating surface for walking on. It is proposed the FRP grating is coloured green to match the surrounding area.

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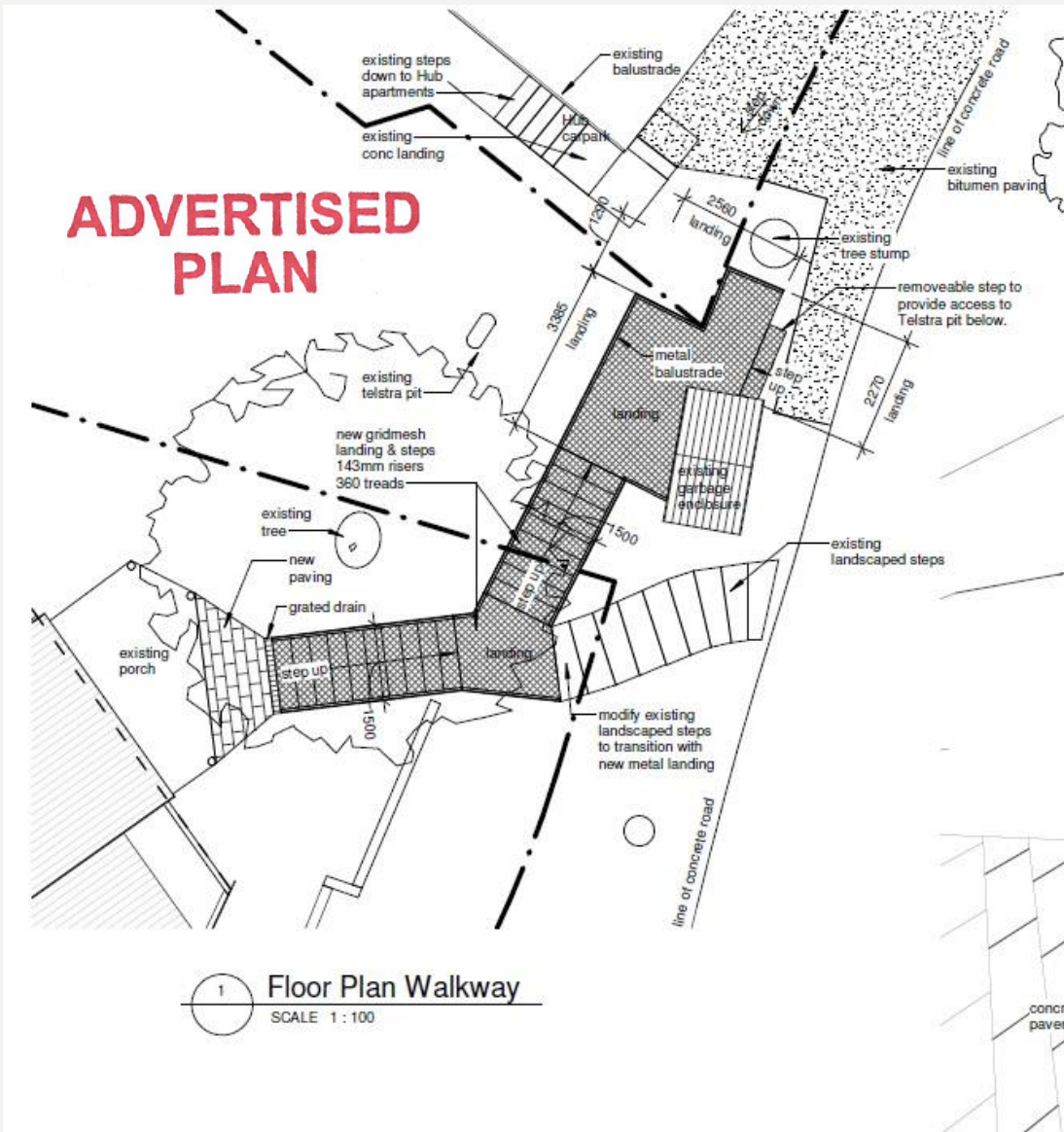


Figure 6 | Proposed Ramp and Stairs (Walkway)

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4. Statutory Planning Framework

4.1. Planning and Environment Act 1987

Section 60(1)(b) of the Act requires that before deciding on an application, the Responsible Authority must consider:

- (a) *the relevant planning scheme; and*
- (b) *the objectives of planning in Victoria; and*
- (c) *all objections and other submissions which it has received, and which have not been withdrawn; and*
- (d) *any decision and comments of a referral authority which it has received; and*
- (e) *any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.*

An assessment of the proposal against these considerations leads to the following general conclusions:

- The application has been prepared in accordance with the relevant requirements of the Planning Scheme.
- The objectives of planning in Victoria are of a very general nature and are more or less satisfied by consideration of all the other assessment criteria in this report.
- The application will be publicly exhibited (where necessary). Any issues raised in submissions received will be considered as part of the assessment process.
- The application will be referred to any relevant referral authorities for review and comment.
- The environmental impacts of the proposal have been considered in this report.

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There are no other matters of the Act relevant for consideration in this report.

4.2. Planning Policy Framework

This section responds to the relevant components of the Planning Policy Framework (“PPF”). The PPF seeks to develop the objectives for planning in Victoria and sets out the environmental, social and economic factors in the interests of community benefit and sustainable development.

The following clauses from the PPF are relevant to this application:

- Clause 11.01-1L (Alpine Villages) which seeks to consolidate future growth within the existing village boundaries to maximise accessibility and infrastructure use, to limit intrusion into ski fields and minimise adverse environmental impacts. The proposed walkway improves the accessibility of walking infrastructure within the settlement and achieves the objectives of this clause.
- Clause 11.02-2S (Structure Planning) which seeks to assist the development of walkable neighbourhoods. The proposed ramp and stair walkway will replace a gravel path, making all-weather pedestrian movements possible and ensuring that the use and development of land responds to potential environmental risks and contributes to maintaining or improving the environmental quality of the alpine environments.
- Clause 12.04-1L (Sustainable Development - Alpine Resorts) which seeks to encourage commercial facilities in the ski fields that cater for the needs of skiers and are sensitive to the alpine environment. The proposed ramp and stair walkway are built as an all-weather replacement for a gravel path that is currently in place. It connects the Ski Club with Falls Creek Road and is supportive of this clause.

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- Clause 12.05-1S (Environmentally Sensitive Areas) which seeks to protect and conserve environmentally sensitive areas. The proposed ramp and stairs will not adversely impact native vegetation. Pedestrian activity will be redirected and elevated above any environmentally sensitive areas. The attached Environmental Assessment report determines that the construction of the proposed metal walkway will not result in any vegetation loss.
- Clause 13.02-1S (Bushfire Planning) which applies to development in a BMO. The proposed construction is situated within a Bushfire Management Overlay - Schedule 1 (BMO1). The proposed development is minor in scale and is not considered to require further consideration under this clause. Notwithstanding this, the walkway will be constructed of galvanised steel and TerraGrate FRP grating. TerraGrate FRP grating is fire-resistant, flame retardant, and offers low thermal conductivity. TerraGrate FRP grating has been tested to and exceeds the ASTM E-84 fire rating standard.
- Clause 13.04-2S (Erosion and Landslip) which seeks to protect areas prone to erosion, landslip, or other degradation processes. The attached Land Stability Assessment at **Appendix C** indicates that the site is suitable for the proposed development if the construction adheres to the recommendations of the report.
- Clause 13.04-2L (Erosion and Landslip in Alpine Resorts) which seeks to ensure that geotechnical hazards are managed throughout the resorts to minimise risk to property and persons. The attached Land Stability Assessment indicates that the risk to development is low if the report's recommendations are adhered to. The report also recommends keeping a good cover of vegetation on the site. The proposal will be supportive of this clause.
- Clause 15.01-1S (Urban Design) which seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. The development seeks to support public realm amenity and safe pedestrian access by creating a stable all-weather walkway to the site, and is generally supportive of this clause, where relevant to a development of this scale and nature.
- Clause 15.01-2L (Built Form in Alpine Resorts) which seeks to ensure that the scale is compatible with surrounding development. The proposed development is a moderately elevated pedestrian walkway that will not adversely impact on the visual appearance of the area. The expanded steel mesh is of a neutral colour that blends in with the natural alpine environment.
- Clause 15.01-4S (Healthy Neighbourhoods) which seeks to foster people of all ages to live a healthy lifestyle. The proposed walkway, whilst being a modest construction, is a significant all-weather access for pedestrians. It will allow for safe pedestrian movements in heavy snow periods and improve pedestrian linkages.
- Clause 17.04-1L (Falls Creek Tourism) which seeks to develop a walking trail system within the Village and resort. The proposal provides walking infrastructure for tourism operations of Falls Creek and is supportive of this clause.
- Clause 18.01-2L (Transport Systems – Falls Creek) which includes a key strategy to implement alternative access solutions, including elevated walkways throughout the village. The proposed ramp and stair construction directly facilitates pedestrian and skier access throughout the village and directly delivers on this key strategy.
- Clause 18.02-1S (Walking) which seeks to facilitate an efficient and safe walking network and increase the proportion of trips made by walking. The proposed development responds directly to this clause as it provides a safe, direct, and comfortable to use pedestrian route.

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4.3. Comprehensive Development Zone – Schedule 1

The subject site is located within the Comprehensive Development Zone - Schedule 1, which refers to development as it relates to an Alpine Village.

The relevant purpose of this zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*

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- To encourage development and the year-round use of land for a commercially orientated, alpine resort.



Figure 7 | Extract of zoning map showing the subject land (Source: VicPlan 2023)

4.3.1. Buildings and works

Pursuant to Clause 37.02-4 a planning permit is required to construct a building or construct or carry out works for a permit required use. The proposed buildings and works do not qualify under any exemptions listed at subclause 4.1-1, and a planning permit is therefore required.

4.3.2. Application Requirements

Clause 37.02-4 sets out the requirements for planning permit applications in the CDZ1. The proposed development complies with the application requirements for use of land, including a detailed description of the proposal and potential impacts within this report. The submitted architectural and geotechnical plans address all the application requirements for the buildings and works section of sub clause 4.3-1.

4.3.3. Decision Guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider, as appropriate the decision guidelines of the CDZ1. The decision guidelines have been considered in the tables below.

Table 2 | Response to Decision guidelines for CDZ1

Decision Guidelines	Response
6.1 General issues	
The Municipal Planning Strategy and the Planning Policy Framework.	Addressed in Section 4.1 and Section 4.2 of this report.
Alpine Resorts Strategic Plan 2020-2025 (State Government of Victoria, Alpine Resorts Coordinating Council, 2019).	The development addresses Strategic Action 3.1 of this report, by prioritising safety during extreme weather events.

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Decision Guidelines	Response
Any catchment and land protection strategy and policies applying to the land.	Not applicable to works of this scale.
Any comprehensive development plan, incorporated into this scheme, for the resort.	There is no comprehensive development plan incorporated for Falls Creek.
Any Alpine Resort Strategic Management Plan approved under the Alpine Resorts (Management) Act 1997.	Not applicable to works of this scale.
Any Alpine Resort Environmental Management Plan.	Not applicable to works of this scale.
Any relevant approved Land Conservation Council or Environment Conservation Council recommendation.	Not applicable to works of this scale.
The capability of the land to accommodate the proposed use or development, addressing site quality attributes including soil type, soil fertility, soil structure, soil permeability, aspect, contour, and drainage patterns.	Architectural plans are attached and provide all necessary details to understand and consider the proposed development. Further discussion of the soil attributes are also be considered in the attached Land Stability Assessment.
How the use or development relates to alpine land use and natural resource management.	The proposed development supports all-weather pedestrian access in an alpine climate.
The availability and provision of utility services, including sewerage, water, drainage, electricity, gas, and telecommunications.	Not applicable to works of this scale.
In the absence of reticulated sewerage, the capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.	Not applicable to this development.
The comments of the Department of Environment, Land, Water and Planning and the relevant Alpine Resort Management Board.	Considerations and concerns raised by DELWP (Ref GE2201894) to Sunjoule Design on 3/11/22 are addressed in this report. A letter from Falls Creek Management Board confirming that it consents to the proposed ramp and stair walkway construction is attached to this application.

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6.2 Environmental issues

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Decision Guidelines	Response
<p>An assessment of the likely environmental impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality, by the emission of noise, dust and odours and any geo-technical implications.</p>	<p>This has been addressed in attached Land Stability Assessment report at Appendix C, which concluded that the site is suitable for the development of a walkway and will not incur any significant impacts on soil and water quality.</p> <p>Suitable construction measures can be implemented to avoid the unreasonable generation of noise, dust and odours.</p>
<p>The impact of the use or development on the flora, fauna and landscape features of the locality.</p> <div style="border: 2px solid red; padding: 10px; margin: 10px 0;"> <p style="color: red; text-align: center;">This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>	<p>This has been addressed in the attached Environmental Assessment report at Appendix D, which concluded that “the proposed metal walkway development has been determined to not result in any native vegetation loss” (Hamilton, 2023, p. 7).</p> <p>Architectural plans are attached and provide all necessary details to understand and consider the impacts the proposed development has on the flora, fauna, and landscape features of the locality. Please note that the proposed ramp and stairs walkway construction will be raised off the ground and will follow an existing pathway to avoid unnecessary impacts on flora and fauna.</p>
<p>The protection and enhancement of the natural environment and the character of the area, including the retention of vegetation and fauna habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridge lines, property boundaries, discharge, and recharge areas.</p>	<p>As illustrated in the architectural plans, the proposed building and works will not compromise any current vegetation. The construction of the ramp will take foot traffic off the path and native vegetation which is currently being impacted by pedestrian use.</p>
<p>The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.</p>	<p>Not applicable to a development of this size.</p>
<p>6.3 Design and siting issues</p>	
<p>The design, colours, and materials to be used and the siting, including the provision of development and effluent envelopes for any building or works.</p>	<p>The attached architectural plans clarify the design, materials, and siting of the proposed construction.</p>

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Decision Guidelines	Response
<p>The location of any building or works with respect to the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.</p>	<p>A construction of this size does not present with any adverse impacts to the natural environment, major roads, vistas, and water features.</p>
<p>The interface with adjoining areas, especially the relationship with residential areas.</p>	<p>Not applicable to a proposed development of this size.</p>
<p>The location and design of existing and proposed roads and their impact on the landscape and whether the use or development will cause significant traffic generation which will require additional traffic management programs to be initiated.</p>	<p>Not applicable to a proposed development of this size.</p>
<p>The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities.</p>	<p>The proposal seeks to avoid existing assets in proximity to the walkway. An exception is an existing telecommunication pit located at the entrance to the walkway. This pit will be covered with a removable piece of TerraGrate which provides easy access to the pit. No alteration will be made to the telecommunication pit.</p>
<p>Provision of car parking and loading bay facilities and landscaping.</p>	<p>Not applicable to a proposed development of this size.</p>
<p>The provision of car parking for short- and long-term visitors.</p>	<p>Not applicable to a proposed development of this size.</p>
<p>The movement of pedestrians and other users, and vehicles providing for supplies, waste removal, emergency services and public transport.</p>	<p>The proposed walkway has been designed to facilitate access for pedestrians and increase safety for users of this entrance and exit to the site.</p>
<p>The streetscape, including the conservation of buildings, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping.</p>	<p>The proposed walkway will facilitate pedestrian movements to Falls Creek Road, and will be partially visible from Falls Creek Road. The walkway is modest in design and of a material that will blend in with the alpine environment. The proposal will also include low-level foot illumination along the walkway to provide visibility after dark.</p>
<p>The storage of rubbish and materials for recycling.</p>	<p>Not applicable to a proposed development of this size.</p>

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Decision Guidelines	Response
Defining the responsibility for the maintenance of buildings, landscaping, and paved areas.	The lessees of the site, being the Ski Club, will continue to maintain the walkway ongoing to facilitate safe access as per the terms of their lease.
Consideration of public safety in relation to the management of snowshed, snow accumulation, and extreme climatic conditions.	As shown on the provided architectural plans, the proposed ramp and stair construction is a response to pedestrian safety in extreme climatic conditions of the area. It will allow for an elevated access above the snow level and for snow to traverse through the mesh fabric of the walkway.
Arrangements for skier entry and exit.	Skiers are accommodated through this design.

4.4. Overlays

4.4.1. Environmental Significance Overlay – Schedule 2

The proposed works are just outside of the area, therefore no further discussion is provided under this overlay.

4.4.2. Development and Design Overlay – Schedule 2

The land is affected by Schedule 2 to the Design and Development Overlay (DDO2) which relates to Falls Creek Alpine Resort Village.

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Figure 8 | Map showing extent of DDO2

DDO2 seeks to ensure that development positively contributes to the built environment by providing high quality, attractive building design outcomes that improve the visual appearance of the area and are attractive and inviting for residents and visitors.

The purpose of the DDO is set out as:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.

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- To identify areas which are affected by specific requirements relating to the design and built form of new development.

The Schedule 2 further identifies the following design objectives:

- To ensure that the Falls Creek Village presents an identifiable, memorable and unique image at an appropriate scale and density.
- To ensure that new development in the Falls Creek Village is sympathetic in scale and location to the landscape, trees, and views.
- To ensure buildings are articulated and fragmented in form and are sited in response to topography.
- To ensure development is not visually intrusive when viewed from key public vantage points within the Village and adjoining ski fields.
- To ensure that the scale, height and setbacks of development reinforce Village Plaza precinct as the Village Centre and focal point of Falls Creek.
- To ensure building design provides a visually attractive interface with the public domain, particularly within the Village Plaza and Village Bowl precincts and along Bogong High Plains Road.
- To ensure view corridors between buildings provide opportunities for view sharing.
- To encourage the retention of indigenous vegetation.
- To provide safe pedestrian and skier linkages within the Village.

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The proposal is consistent with the above as this planning report has responded to the relevant requirements of the Municipal Planning Strategy and Planning Policy Framework. Specifically, the proposed development seeks to provide a modest design that blends into the alpine environment and is not dominant in the visual landscape. The walkway will facilitate safe pedestrian linkages within the resort, and allow for all-weather access that is above the snowline. The development will not result in the loss of any vegetation, noting that it follows and replaces an existing gravel pathway.

Under the provisions of this overlay, a planning permit is required to construct or carry out works and none of the exemptions apply.

This clause stipulates the following design criteria:

Table 3 | Response to Buildings and Works Design Requirements at Schedule 2

Design Requirements	Response
Subclause 2.1 Building and Design Requirements	
Scale of the development and its relationship to surrounding development and vegetation.	The proposal is minor in scale, and will seek to retain existing vegetation and facilitate safe access between adjoining road networks.
The effect on amenity of surrounding sites.	The proposal will have minimal to no effect on the amenity of surrounding sites.
Creation of view corridors to optimise views to the ski field areas and long distant views to the National Park.	The proposal will not impact on view corridors.

<p>Avoiding overshadowing of public spaces.</p>	<p>The proposal will not overshadow public spaces.</p>
<p>Buildings should be stepped to follow the slope of the land, so they are generally level with, or below, the top of the tree line.</p>	<p>Not applicable to this development, no buildings are proposed.</p>
<p>The built form should be articulated and appear fragmented to break up the mass of the building.</p>	<p>Not applicable to this development, no buildings are proposed.</p>
<p>The visual impact of the proposed development, particularly in terms of impact on the streetscape and intrusion into the skyline.</p>	<p>The proposed development will have a minor visual impact on the streetscape, however this is not expected to be significant given its location, level of screening from existing vegetation, and construction materials proposed to be semi-transparent.</p>
<p>The extent to which snow deposition and public safety will be managed within the site boundary.</p>	<p>The purpose of the proposed development is to provide a safe path that replaces the current gravel path. As shown on the attached architectural plans, a steel path and landings constructed of Gridmesh® allows for the ease of removing snow when required.</p>
<p>The ability to provide suitable pedestrian and skier movement within the site boundary and to the adjoining public spaces and roads</p>	<p>The purpose of the proposed development is to provide a safe path for pedestrian and skier movement from the site to the adjoining property.</p>
<p>Subclause 2.3 Materials and Finishes</p>	
<p>Wall materials: Corrugated iron, profiled metal (zinc/copper/colour coated steel), timber, stone, plastered masonry (painted in neutral or alpine tones) or other approved alternatives.</p> <p>All buildings should incorporate a significant area of local stone (preferably Glenrowan Granite) representing not less than 25% of total façade of the building.</p> <p>The use of a Timber finish will be preferred on upper levels of buildings.</p> <p>Roof material: Profiled metal (zinc/copper/colour coated steel), corrugated iron (non-reflective and muted tones) or other approved alternatives.</p> <p>Colours: Colour in the form of paintwork should be used sparingly, and as a feature or element of contrast. The use of natural alpine colour tones should be used in materials and finishes of development.</p>	<p>The proposed walkway will be construct of Gridmesh® expanded metal mesh. No buildings are proposed.</p> <p style="text-align: center; color: red; font-weight: bold; font-size: 2em;">ADVERTISED PLAN</p>

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This clause and the schedule also list decision guidelines that the responsible authority must consider before approving an application. These are responded to in the tables below.

Table 4 | Response to Decision Guidelines at Clause 43.02-6

Decision Guidelines	Response
The Municipal Planning Strategy and the Planning Policy Framework.	Addressed in Section 4.1 and Section 4.2 of this report.
The design objectives of the relevant schedule to this overlay.	As addressed above.
The provisions of any relevant policies and urban design guidelines.	The proposed development generally accords with relevant policies and urban design guidelines, however noting that there are no specific controls around metal walkways.
Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.	The proposed walkway is modest in design and will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area. The proposed walkway is stated in the context, with the grating to be coloured green to absorb into the surrounding landscape. While there are not known to be any metal walkways of this design and configuration on the properties that directly adjoin, the use of metal walkways can be seen regularly throughout the Falls Creek Village and ski resort.
Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.	There are no heritage places nearby the site.
Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.	The proposal does not result in any vegetation removal or additional landscaping.
The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking	Not applicable, no areas are set aside for car parking as part of this proposal.
Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.	Not applicable, no subdivision is proposed.
Any other matters specified in a schedule to this overlay.	Addressed below.

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Table 5 | Response to Decision Guidelines at Schedule 2

Decision Guidelines	Response
Enhances the streetscape character of the locality and makes a positive contribution to the image of the village and adjoining development.	The proposal aims to have a net zero impact on the streetscape character of the locality. It is noted that the structure will be largely screened from view via the existing roadside vegetation.
Protects and enhances the amenity of adjacent buildings and public areas.	As above, the development aims to minimise visual intrusion into the sensitive environment, and will have minimal impacts on adjacent buildings and public areas.
Ensures that snow shed from the development will be retained within the site boundaries.	The development utilises a gridmesh material, which will allow for snow to permeate through the structure.
Ensures maximum retention of significant native vegetation on the site, especially stands of snow gums.	The development avoids all impacts on native vegetation.
Complements the alpine landscape setting and will not result in any visual intrusion into the streetscape or landscape.	The proposed development has been designed to be sympathetic to the context, and will blend into the surrounding landscape.
Provides for free movement of skiers and pedestrians into and around the site and enhances connections to the Village public spaces and ski fields.	The proposed walkway seeks to facilitate safe and all-weather access between the amenities of the village to the Myrtleford Ski Club.

Table 6 | Response to Design Requirements of DDO2-A2

Requirement	Response
Maximum Height	
The maximum height of any part of a building is 15 metres above natural ground level. A permit may be granted to increase the height of any roof structure to 18 metres, provided not more than 33% of the roof area exceeds 15 metres in height.	Complies. The proposed walkway will not exceed 15 metres above ground level.
Minimum Setbacks	
<ul style="list-style-type: none"> 4 metre setback at road level. Levels above road level to be setback a minimum of 2 metres per level 	The proposed walkway is to be setback approximately 300mm from the 'road' boundary in the east. However, it is noted that the 'road' to the east is not contained within a formal road reserve,

<ul style="list-style-type: none"> • 3 metres from any other site boundary • Average of 4.5 metres from any building on the same site • 6 metres from any other building on an adjoining site <div style="border: 2px solid red; padding: 10px; margin-top: 20px; text-align: center;"> <p style="color: red; font-weight: bold;">This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>	<p>and is instead encapsulated within unallocated Crown land. Further, as the proposed walkway travels northwards, there appear to be no site boundaries to which a setback could apply.</p> <p>The proposed walkway also does not provide a setback to existing buildings on the site, noting that the purpose of the development is to provide safe transit to and from the existing building.</p> <p>The minimum setbacks proposed by the development of the walkway are not logical for the placement of the walkway on a constrained site. The design and placement of the walkway is a response to the location of native vegetation on-site, topography, and the wish to mitigate any removal of vegetation and earth. The walkway is a necessary piece of infrastructure for the safety of visitors in snow conditions. The walkway is also required to connect safely to even land of the adjoining property. It is noted that the existing landscaped steps do not comply with the minimum setback requirements of DDO2-A1.</p>
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Maximum Site Coverage	
60%	<p>The term 'site coverage' is defined by Clause 73.01 as being 'the proportion of a site covered by buildings'.</p> <p>Based on the proposed walkway, the site being Crown Allotment 2054 will have a total site coverage of 338sqm on a site with an area of 709sqm, totalling to a site coverage of 47.6%.</p> <p>The walkway also traverses unallocated Crown land, on which there are no real structures. Accordingly, site coverage will not exceed 60%.</p>

4.5. Erosion Management Overlay

The site is affected by Schedule 1 to the Erosion Management Overlay (EMO1) which relates to Falls Creek Alpine Resort Village.

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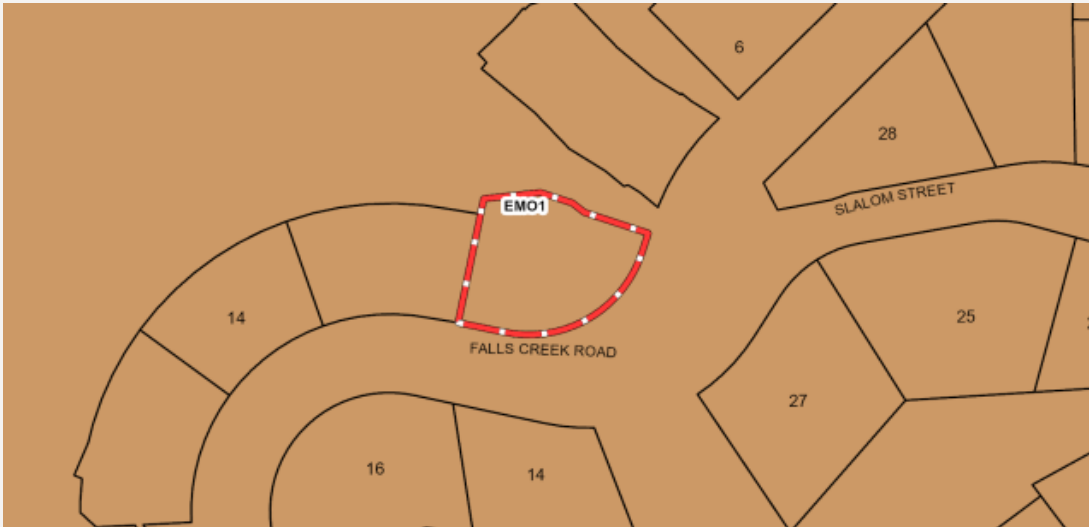


Figure 9 | Map showing extent of EMO1

This EMO1 seeks that applications for development are supported by adequate investigation and documentation of geotechnical and related structural matters.

The purpose of the EMO is set out as:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development.

The Schedule 1 also identifies the following erosion management objectives:

- To ensure that applications for development are supported by adequate investigation and documentation of geotechnical and related structural matters.
- To ensure that development is appropriate to be carried out either conditionally or unconditionally, having regard to the results of those geotechnical and related structural investigations.
- To ensure that development is only carried out if identified geotechnical and related structural engineering risks are effectively addressed.

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The proposal is consistent with the above as this planning report has responded to the relevant requirements of the Municipal Planning Strategy and Planning Policy Framework. The design of the walkway has been informed by a land stability assessment to ensure that the proposal will not negatively impact on the stability of the ground in this location, and to manage the risk of landslip and erosion.

Under this clause a planning permit is required to construct or carry out works, and none of the exemptions apply.

This clause and the schedule also list decision guidelines that the responsible authority must consider before approving an application. These are responded to in the tables below.

Table 7 | Response to Decision Guidelines at Clause 44.01-2

Decision Guidelines	Response
The Municipal Planning Strategy and the Planning Policy Framework.	Addressed in Section 4.1 and Section 4.2 of this report.

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<p>Regional Catchment Strategy (Catchment and Land Protection Act 1994).</p>	<p>The RCS provides limited commentary on a development of this scale.</p>
<p>Civil construction, building and demolition guide (Publication 1834, Environment Protection Authority, November 2020).</p>	<p>The proposed development will maintain construction measures to avoid impacts on the environment and ensure safe practices are followed.</p>
<p>Control of Erosion on Construction Sites, Soil Conservation Authority.</p>	<p>As above, measures will be imposed to avoid environmental impacts resulting during and after construction.</p>
<p>Your Dam, an Asset or a Liability, Department of Conservation and Natural Resources.</p>	<p>No dam works are proposed.</p>
<p>Any proposed measures to manage concentrated runoff and site drainage.</p>	<p>No additional runoff or drainage is anticipated.</p>
<p>Any proposed measures to minimise the extent of soil disturbance.</p>	<p>The recommendations of the Land Stability Assessment seek to minimise soil disturbance, and these measures will be implemented throughout construction.</p>
<p>Whether the removal of vegetation will increase the possibility of erosion, the susceptibility to landslip or other land degradation processes, and whether such removal is consistent with sustainable land management.</p>	<p>No vegetation removal is required or proposed.</p>
<p>The need to stabilise disturbed areas by engineering works or revegetation.</p>	<p>No further stabilisation is planned, however retaining walls will be constructed in accordance with the recommendations of the LSA if necessary.</p>
<p>Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern.</p>	<p>The proposed works are located to avoid severe erosion risk areas.</p>
<p>Whether buildings or works are likely to cause erosion or landslip.</p>	<p>As outlined in the LSA, the proposal is unlikely to cause erosion or landslip.</p>
<p>Whether access and servicing of the site or building envelope is likely to result in erosion or landslip.</p>	<p>No additional servicing is required, and access already occurs.</p>
<p>Land Capability Report (if prepared) as developed by the Department of Energy, Environment and Climate Action.</p>	<p>The attached Land Stability Assessment provides discussion on erosion and landslip risks.</p>

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The need to remove, destroy or lop vegetation to a create defensible space to reduce the risk of bushfire to life and property.	No vegetation is proposed to be removed.
Any technical information or reports required to be provided by a schedule to this overlay.	As below.
Any other matters specified in a schedule to this overlay.	As below.

Table 8 | Response to Decision Guidelines at Schedule 1

Decision Guidelines	Response
The objectives of this schedule.	As responded to above.
The recommendations of any relevant Preliminary Geotechnical Assessment and Quantitative Risk Assessment.	The attached Land Stability Assessment report (Appendix C) concluded that the site is suitable for development. All recommendations will be implemented throughout construction to minimise site disturbance.
The advice of any geotechnical practitioner who has reviewed the application.	See above.
The comments of the relevant Alpine Resort Management Board in relation to a site development plan.	See attached letter of approval from Falls Creek Management Board dated 19/10/23 at Appendix E .

4.5.1. Bushfire Management Overlay

The site is affected by Schedule 1 to the Bushfire Management Overlay (BMO1).

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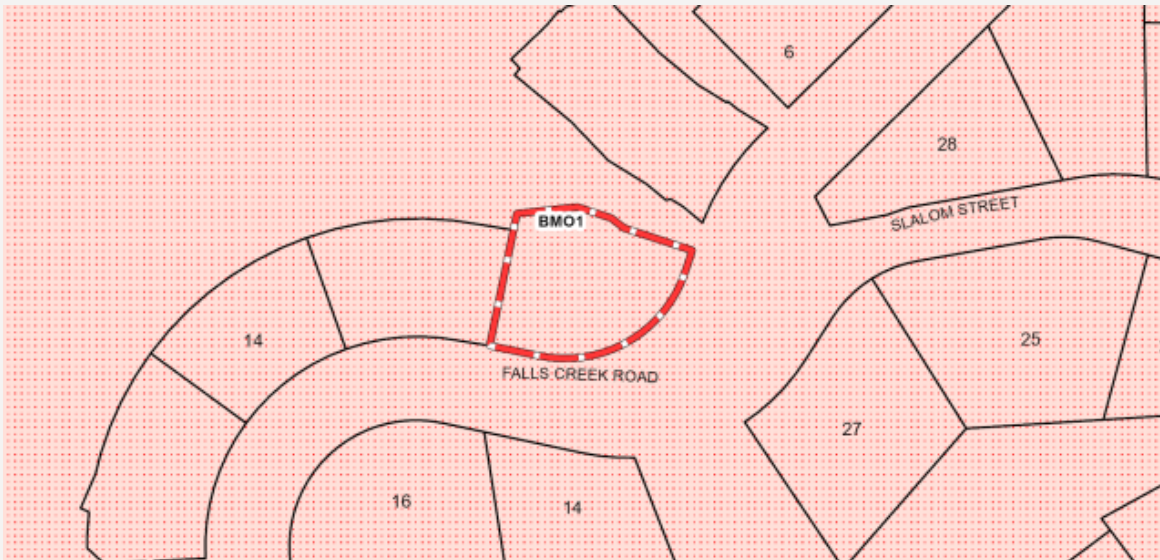


Figure 10 | Map showing extent of BMO1

The purpose of the BMO is set out as:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

Pursuant to this clause, a planning permit is required to construct a building or carry out works associated with Accommodation.

This clause also prescribes that an application must be accompanied by a Bushfire hazard site assessment, Bushfire hazard landscape assessment, and Bushfire management statement, unless in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, in which the responsible authority may waive, vary or reduce the requirement.

The proposed development is for a walkway structure which offers an improvement on an existing pathway providing access to the Myrtleford Ski Club building. The proposed walkway is a non-habitable structure made of flame-resistant galvanised steel and exceeds ASTM E-84 fire rating standard. The proposed development will have a net zero impact on the fire safety of the property, and will not result in any increased risk to life or property. Accordingly, it is requested that the application requirements and further consideration under this clause and clause 53.02 be waived.

4.6. Particular Provisions

None apply.

4.7. General Provisions

4.7.1. Decision guidelines (Clause 65)

Before deciding on an application or approval of a plan, the Responsible Authority must consider certain decision guidelines. The below table provides an assessment of the proposal against the relevant general decision guidelines at clause 65.01 - Approval of an application or plan.

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Table 9 | Response to decision guidelines at clause 65.01

Decision Guidelines	Response
The matters set out in section 60 of the Act.	Refer to Section Error! Reference source not found..
Any significant effects the environment, including the contamination of land, may have on the use or development.	The development is a proposed steel structure, able to weather Alpine conditions. There are not expected to be any further environmental impacts beyond which are considered in this report.
The Municipal Planning Strategy and the Planning Policy Framework.	Refer to Sections 4.1 and Section 4.2 .
The purpose of the zone, overlay or other provision.	Refer to Section 4.3 , Section 4.4 , and Section 4.6
Any matter required to be considered in the zone, overlay or other provision.	Refer to Section 4.3 , Section 4.4 , and Section 4.6 .
The orderly planning of the area.	The development itself is small proportionally to the site. It will create an orderly passageway for pedestrians to navigate over the uneven, rocky path that currently exists in place. The development constitutes orderly planning.
The effect on the environment, human health, and amenity of the area.	The proposed works are not considered to have an adverse effect on the amenity of the area. The development is likely to have a positive effect on human health, as it will create a stable, accessible pathway that takes foot traffic off the native vegetation.
The proximity of the land to any public land.	The proposed development will extend onto unallocated Crown Land. As proposed by DELWP/DTP, a letter of consent from Falls Creek Management Board is attached to this application.
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	The development will not have any impact or contribute to any land degradation, salinity or reduction in water quality of the area as a result of the application. Please see attached Land Stability Assessment report for further details.

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<p>Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.</p>	<p>The proposal will not adversely affect or improve the quality of stormwater.</p>
<p>The extent and character of native vegetation and the likelihood of its destruction.</p>	<p>The attached architectural plans for this proposal see no clearing or destruction of native vegetation. Post-construction, the ramp will remove foot traffic off vegetation that remains in-place.</p>
<p>Whether native vegetation is to be or can be protected, planted, or allowed to regenerate.</p>	<p>The attached architectural plans for this proposal see no clearing or destruction of native vegetation. Post-construction, the ramp will remove foot traffic off vegetation that remains in-place, allowing it to regenerate.</p>
<p>The degree of flood, erosion or fire hazard associated with the location of the land and the use, development, or management of the land so as to minimise any such hazard.</p>	<p>The subject land is not identified as having any risk from flooding. Consideration of erosion and requirements have been addressed in Section 4.5 as an Erosion Management Overlay exists on the property.</p> <p>The proposed structure will be made of steel, which is a fire-resistant material.</p>
<p>The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.</p>	<p>Not applicable to a development of this size.</p>
<p>The impact the use or development will have on the current and future development and operation of the transport system.</p>	<p>Not applicable to a development of this size.</p>

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5. Conclusion

This application seeks a planning permit to construct a walkway on land described as Site 26, Falls Creek Road, Falls Creek, Victoria 3699.

The development has been designed to consider the landscape sensitivity, bushfire and erosion risks, environmental impacts, pedestrian traffic routes, and other conditions of the site.

Having regard for the content of this report, the proposal deserves the support of Council because:

- it complies with the relevant matters contained within the Alpine Resorts Planning Scheme;
- it offers a necessary safety upgrade for continuing pedestrian access to the Myrtleford Ski Club;
- It will reduce impact on the native groundcovers found at the site;
- it will not increase bushfire risk or add to bushfire loads given that the walkway will be constructed of metal;
- it will have minimal impacts on the surrounding alpine landscape.

In light of the above considerations, it is our opinion that the proposal is appropriate from a planning point of view and is in the public interest.

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Appendix A: Title Details

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Appendix B: Plans

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Appendix C: Land Stability Assessment

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Appendix D: Environmental Assessment

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Appendix E: Falls Creek Management Board Letter

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Appendix F: Alpine Resorts Victoria Letter
